IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

WRIT PETITION No. 9054 of 1995

Between:

1 P. Dasamantha Rao, S/o P. Ranga Rao,

aged about 29 years, Asst.Engineer (R&D)
in Hyderabad Allwyn Ltd., Allotted to A.P. Beverages Corporation Ltd.,
Hyderabad.

2 S. Venkata Papa Rao, S/o S. Rama Rao,

aged about 30 years, Assistant Manager in
Hyderabad Allwyn Ltd., Allotted to M/s Nizam Sugars Ltd.,
Hyderabad.

3 R. Kanakaiah, S/o R. Pochaiah,

aged about 30 years, Assistant Engineer in
Hyderabad Allwyn Ltd., Allotted to M/s A.P. Breweries Corporation,
Hyderabad.

4 S.V.S.S.S. Prasad, S/o S. Sreehari Rao,

aged about 28 years, Asst.Engineer/Junior Executive in
Hyderabad Allwyn Ltd., Allotted to Nizam Sugar Factory,
Hyderabad.

5 D. Pradeep Kumar, S/o D. Premkumar,

aged about 27 years, Sales Officer in
Hyderabad Allwyn Ltd., Allotted to Nizam Sugar Factory,
Hyderabad.

..... PETITIONERS

AND

1 State of A.P., Rep by chief Secretary
A.P. Secretariat Buildings, Hyderabad.

2 Convenor, Empowered Committees and Managing Directors,

A.P. Industrial Development Corporation,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction especially one in the nature of mandamus 1) Declare that the Petitioners are entitled for absorption in the posts suitable to them on the basis of their qualifications and experience in terms of G.O.Rt.no.383 and 384 Indus and commerce Dept., dated 31.3.93 and G.O.Ms.No.180 Indus and Commerce dept., dated 28.4.93 in the allotted Corporation/ Public Sector Enterprises etc., 2) to declare that the state Government is estopped from discharging the petitioners from service in view of their undertaking before BIFR on 4.4.94 and the agreement before the Dy. Commissioner of Labour under Sec.12(3) of the Industrial Disputes Act, 1947 3) to direct the respondent to grant the Dearness allowance, Increments etc, due to the petitioners from the date of their release from Hyderabad Allwyn ltd., with an interest at 18% per annum on the amounts due, and 4) to grant such other relief and reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.V.JOGAYYA SARMA (NOT PRESENT)

Counsel for the Respondent No.2: MR.V.RAJAGOPAL REDDY (SC FOR APIDC)

The Court made the following:

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ORDER:

When the matter camp up for hearing on 09.12.2004, there was no representation on behalf of the petitioners. Therefore, the matter was directed to be listed for dismissal. Accordingly, the matter is listed under the caption “for dismissal” today. Even today, when the matter is taken up, there is neither appearance nor any representation on behalf of the petitioners.

2. In the circumstances, the Writ Petition is dismissed for default. Interim order, if any, stands vacated. No costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Chief Secretary,

A.P.Secretariat Buildings,

State of Andhra Pradesh,

Hyderabad

2. The Convenor,

Empowered Committees, and

Managing Directors,

A.P.Industrial Development Corporation,

Hyderabad

3. Two CD copies.